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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/391,052 | 09/16/1999 | YUICHI NAOI | 35.C13838 | 7999 |

5514 7590 07/02/2004

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EXAMINER

POKRZYWA, JOSEPH R

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/391,052

Applicant(s)

NAOI, YUICHI

Examiner

Joseph R. Pokrzywa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14-36 and 38-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 34-36, 38 and 41 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-9, 15, 17, 19, 20, 23-26, 28-33, 39, 42, 43 and 46 is/are rejected.
- 7) ☒ Claim(s) 4, 10-12, 14, 16, 18, 21, 22, 27, 40, 44 and 45 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/15/04 has been entered.

Response to Amendment

2. Applicant's amendment received on 3/22/04 has been entered and made of record. Currently, **claims 1-12, 14-36, and 38-46** are pending.

Claim Objections

3. **Claims 10-12, 14, and 18** are objected to because of the following informalities:

In **claim 10**, line 32, "output unit" should read "printer unit", in accordance with the current amendment;

claims 11, 12, and 14, each being dependent on claim 10, are objected to for the same reasons as claim 10, which were noted above; and

in **claim 18**, line 30, "output unit" should read "printer unit", in accordance with the current amendment.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-3, 5-9, 15, 17, 19, 20, 23-26, 28-33, 39, 42, 43, and 46** are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (U.S. Patent Number 5,930,346).

Regarding *claims 1 and 24*, Chen discloses a facsimile apparatus (customer premise switching module 103, column 2, lines 1 through 15) and method adapted to accommodate a plurality of telephone lines (lines 100, 104, 107, 108, and 109) connectable with respective different remote partners at a same time (see Figs. 1 and 4), comprising a first facsimile communication unit (relay 410) connectable with a first telephone line (line 100, see Fig. 4), adapted to reduce power dissipation on standby, and adapted to communicate with a remote partner via the first telephone line (column 7, line 56 through column 8, line 58), a second facsimile communication unit (relay 414) connectable with a second telephone line (line 104, see Fig. 4), adapted to reduce power dissipation on standby, and adapted to communicate with a remote partner via the second telephone line (column 7, line 56 through column 8, line 58), a power supply unit (combinatorial logic 402) adapted to supply power to the first and second facsimile communication units (column 7, line 56 through column 8, line 27), a detection unit (ringing detector 403, caller ID decoder 401, digit receiver 404, and loop_I detectors 420-429) for detecting actuation factors for the first and second facsimile communication units (column 8, line 48 through column 9, line 56), and a controller (combinatorial logic 402) adapted to, when

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the first and second facsimile communication units are on standby, control the power supply unit to supply power to the second facsimile communication unit but not to supply power to the first facsimile communication unit, in order to retain the first facsimile communication unit as it is on standby (column 7, line 56 through column 8, line 58), in response to detection of an actuation factor for the second facsimile communication unit by the detection unit (column 7, line 56 through column 8, line 58), wherein each of the first and second facsimile communication units can execute communication of *data*, independently, and while one of these facsimile communication units is executing the communication, the other facsimile communication unit can be retained on standby, thereby reducing power dissipation (column 9, lines 39 through 59).

However, Chen does not expressly disclose if the first and second facsimile communication units actually execute communication of **image data**, as they are seen in Fig. 1 and 4 to be connected to respective telephones 130 and 134. But Chen does teach that facsimile data, which is inherently image data, can be transmitted using the invention, as read in column 2, lines 1 through 55, wherein facsimile machines are included in the home automation (HA) systems. Further, in column 8, lines 5 through 58, various HA service entities are registered in a “guest list”, whereby if a match to the Caller ID appears, the corresponding relay is energized and activated for a communication session. Because of this, it would have been obvious to one of ordinary skill in the art at the time the invention was made to consider that the first and second communication units as facsimile communication units that execute the communication of image data, as required in the claim.

Regarding **claims 2 and 25**, Chen discloses the apparatus and method discussed above in claims 1 and 24, respectively, and further teaches that the detection unit detects an actuation

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factor in response to detection of a call signal from the second telephone line (column 7, line 56 through column 9, line 56).

Regarding *claims 3 and 26*, Chen discloses the apparatus and method discussed above in claims 1 and 24, respectively, and further teaches that an actuation factor is detected in response to a key inputted by a user through an operation unit (column 7, line 3 through column 9, line 38).

Regarding *claims 5 and 28*, Chen discloses the apparatus and method discussed above in claims 1 and 24, and further teaches of a relay for turning on and off power from the power supply unit to the second facsimile communication unit (column 7, line 56 through column 9, line 56), wherein the first facsimile communication unit turns on the relay in response to detection of an actuation factor by the detection unit (column 7, line 56 through column 9, line 56).

Regarding *claims 6 and 29*, Chen discloses the apparatus and method discussed above in claims 1 and 24, respectively, and further teaches that the power supply unit is adapted to switch whether or not power is supplied to the second facsimile communication unit, and wherein the first facsimile communication unit enables the power supply unit to start supplying power to the second facsimile communication unit in response to detection of an actuation factor by the detection unit (column 7, line 56 through column 9, line 56).

Regarding *claims 7 and 30*, Chen discloses the apparatus and method discussed above in claims 1 and 24, respectively, and further teaches that the second facsimile communication unit suspends supplying a clock signal to the second communication unit itself while on standby (column 9, line 39 through column 10, line 44), and starts supplying the clock signal to the

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second facsimile communication unit itself in response to an actuation signal from the first facsimile communication unit (column 9, line 39 through column 10, line 44).

Regarding *claims 8 and 31*, Chen discloses the apparatus and method discussed above in claims 1 and 24, respectively, and further teaches that the second facsimile communication unit is provided with a power source control unit operating even on standby, and wherein the second facsimile communication unit suspends supplying power to the second facsimile communication unit itself while on standby, and starts supplying power to the second facsimile communication unit itself in response to an actuation signal from the first facsimile communication unit (column 7, line 56 through column 9, line 56).

Regarding *claims 9 and 32*, Chen discloses the apparatus and method discussed above in claims 1 and 24, respectively, and further teaches of a second detection unit adapted to detect an actuation factor with respect to the first facsimile communication unit, wherein the first facsimile communication unit is provided with a low power dissipation control unit operating even on standby, and wherein the first facsimile communication unit shifts to a low power dissipation state while on standby, and the low power dissipation control unit causes the first facsimile communication unit to shift to an operational state in response to an actuation signal from the second detection unit (column 7, line 56 through column 9, line 56).

Regarding *claims 15 and 39*, Chen discloses a facsimile apparatus (customer premise switching module 103, column 2, lines 1 through 15) and method adapted to accommodate a plurality of telephone lines (lines 100, 104, 107, 108, and 109) connectable with respective different remote partners at a same time (see Figs. 1 and 4), comprising a first facsimile communication unit (relay 410) connectable with a first telephone line (line 100, see Fig. 4),

adapted to reduce power dissipation on standby, and adapted to communicate with a remote partner via the first telephone line (column 7, line 56 through column 8, line 58), a second facsimile communication unit (relay 414) connectable with a second telephone line (line 104, see Fig. 4), adapted to reduce power dissipation on standby, and adapted to communicate with a remote partner via the second telephone line (column 7, line 56 through column 8, line 58), a reading unit adapted to read image data (digit receiver 404, column 10, lines 19 through 44), an instruction unit adapted to instruct transmission of the image data read by the reading unit (column 8, line 16 through column 10, line 44), a power supply unit (combinatorial logic 402) adapted to supply power to the first and second facsimile communication units (column 7, line 56 through column 8, line 27), and a controller (combinatorial logic 402) adapted to, when the first and second facsimile communication units are on standby, in response to an instruction from the instruction unit during a communication by the first facsimile communication unit, shift the second facsimile communication unit from a standby state of not receiving power from the power supply unit to an operational state of receiving power from the power supply unit in order to transmit image data (column 8, line 17 through column 9, line 45), and in response to an instruction from the instruction unit, shift the first facsimile communication unit from a standby state to an operational state in order to transmit data from the first facsimile communication unit, while retaining the second communication as it is on standby without shifting the second facsimile communication unit to an operational state (column 8, line 17 through column 9, line 45).

However, Chen does not expressly disclose if the first and second facsimile communication units actually execute communication of **image data**, as they are seen in Fig. 1

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and 4 to be connected to respective telephones 130 and 134. But Chen does teach that facsimile data, which is inherently image data, can be transmitted using the invention, as read in column 2, lines 1 through 55, wherein facsimile machines are included in the home automation (HA) systems. Further, in column 8, lines 5 through 58, various HA service entities are registered in a “guest list”, whereby if a match to the Caller ID appears, the corresponding relay is energized and activated for a communication session. Because of this, it would have been obvious to one of ordinary skill in the art at the time the invention was made to consider that the first and second communication units as facsimile communication units that execute the communication of image data, as required in the claim.

Regarding *claims 17 and 33*, Chen discloses the apparatus and method discussed above in claims 1 and 24, respectively, and further teaches that the controller shifts the first facsimile communication unit from a standby state to an operational state in response to detection of an actuation factor for the first communication unit by the detection unit (column 7, line 56 through column 9, line 56).

Regarding *claims 19 and 42*, Chen discloses a facsimile apparatus (customer premise switching module 103, column 2, lines 1 through 15) and method adapted to accommodate a plurality of telephone lines (lines 100, 104, 107, 108, and 109) connectable with respective different remote partners at a same time (see Figs. 1 and 4), comprising a first facsimile communication unit (relay 410) connectable with a first telephone line (line 100, see Fig. 4), adapted to reduce power dissipation on standby, and adapted to communicate with a remote partner via the first telephone line (column 7, line 56 through column 8, line 58), a second facsimile communication unit (relay 414) connectable with a second telephone line (line 104, see

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Fig. 4), adapted to reduce power dissipation on standby, and adapted to communicate with a remote partner via the second telephone line (column 7, line 56 through column 8, line 58), a first controller for controlling the first facsimile communication unit (loop_I detector 420), the first controller adapted to reduce power dissipation on standby (column 9, lines 39 through 59), a second controller for controlling the second facsimile communication unit (loop_I detector 424), the second controller adapted to reduce power dissipation on standby (column 9, lines 39 through 59), and a power supply unit (combinatorial logic 402) adapted to supply power to the first and second facsimile communication units and the first and second controllers (column 7, line 56 through column 8, line 27), wherein the first controller includes a detection unit adapted to detect actuation factors for the first and second facsimile communication units (column 8, line 48 through column 9, line 56), and when the first and second facsimile communication units and the first and second controllers are in a standby state, the second facsimile communication unit and the second controller shift from the standby state of not receiving power from the power supply unit to an operational state in response to detection of an actuation factor for the second facsimile communication unit by the detection unit (column 7, line 56 through column 8, line 58), retaining the first communication unit and the first controller as they are on standby (column 7, line 56 through column 8, line 58).

However, Chen does not expressly disclose if the first and second facsimile communication units actually execute communication of facsimile data, as they are seen in Fig. 1 and 4 to be connected to respective telephones 130 and 134.

But Chen does teach that facsimile data, which is inherently image data, can be transmitted using the invention, as read in column 2, lines 1 through 55, wherein facsimile

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machines are included in the home automation (HA) systems. Further, in column 8, lines 5 through 58, various HA service entities are registered in a “guest list”, whereby if a match to the Caller ID appears, the corresponding relay is energized and activated for a communication session.

Because of this, it would have been obvious to one of ordinary skill in the art at the time the invention was made to consider that the first and second communication units as facsimile communication units that execute the communication of facsimile data.

Regarding *claims 20 and 43*, Chen discloses the apparatus and method discussed above in claims 19 and 42, respectively, and further teaches that the first facsimile communication unit and the first controller shift from the standby state to an operational state in response to detection of an actuation factor for the first facsimile communication unit by the detection unit (column 7, line 56 through column 9, line 56).

Regarding *claims 23 and 46*, Chen discloses the apparatus and method discussed above in claims 19 and 42, and further teaches of an input unit adapted to input image data (column 2, lines 1 through 48) and an instruction unit adapted to instruct transmission of the image data inputted by the input unit (column 8, line 61 through column 9, line 56), wherein the first controller shifts the second facsimile communication unit and the second controller from the standby state to the operational state in accordance with an instruction by the instruction unit (column 7, line 56 through column 9, line 56).

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Allowable Subject Matter

6. **Claims 34-36, 38, and 41** are allowed.
7. **Claims 10-12, 14, and 18** would be allowable if rewritten to overcome the objection noted above regarding independent *claims 10 and 18*.
8. **Claims 4, 16, 21, 22, 27, 40, 44, and 45** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Examiner
Art Unit 2622



jrp